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Pawnee Indians. Message from the President of the United States, transmitting a communication from the Secretary of the Interior in reference to the necessities of the Pawnee Indians.

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PAWNEE INDIANS.

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MESSAGE

FROM THE

PRESIDENT OF THE UNITED STATES,

TRANSMITTING

*A communication from the Secretary of the Interior in reference to the necessities of the Pawnee Indians.*

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APRIL 4, 1876.—Referred to the Committee on Indian Affairs and ordered to be printed.

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*To the House of Representatives :*

I have the honor to transmit herewith for your information a communication from the Secretary of the Interior, of this date, upon the urgent necessities of the Pawnee Indians.

This tribe has recently been removed to the Indian Territory, and is without means of subsistence except as supplied by the Government. Its members have evinced a disposition to become self-supporting, and it is believed that only temporary aid will be required by them. The sums advanced by the United States for this purpose it is expected will be refunded from the proceeds of the sale of the Pawnee reservation in Nebraska.

The present destitute condition of these Indians would seem to call for immediate relief, and I recommend the subject to your early and favorable consideration.

U. S. GRANT.

EXECUTIVE MANSION, *April 3, 1876.*

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DEPARTMENT OF THE INTERIOR,  
*Washington, April 3, 1876.*

SIR: I have the honor to lay before you a copy of a communication this day received from the Commissioner of Indian Affairs in relation to the condition and necessities of the Pawnee Indians, in the Indian Territory, and the imperative necessity which exists for their immediate relief.

Communications (three in number) in relation to these Indians, urging

legislation on their behalf, were transmitted to both Houses of Congress on the 17th January and 17th and 25th February last, respectively, but, as yet, I am not informed of any action taken by either body.

The telegrams, (copies herewith,) three in number, two from the agent of the Pawnees (Wm. Burgess) and one from Hon. Wm. C. Master, mayor of Coffeyville, seem to demand speedy action on the part of the Government, and I fully concur with the Commissioner in the views expressed by him.

The communications hereinbefore referred to as having been addressed to Congress contemplated the appropriation of \$300,000 to provide for the present necessities of the Indians in question, and presented a draught for proposed legislation looking to the sale of their reserve in Kansas and a re-imbursement to the Government, from the funds realized thereby, of all advances made for their relief.

Owing to the pressing exigencies of the case, the Commissioner recommends that the bill, already transmitted, be amended so as to provide for an immediate expenditure of \$20,000 for the purchase of supplies in open market to meet the immediate necessities of these Indians.

The inclosed pamphlet, showing the history of these Indians for the past two years, and the action taken by the Department on their behalf, has already been laid before Congress, and the subject is respectfully submitted, with the recommendation that it be laid before that body, and that the urgency of the case be again brought to its notice.

I have the honor to be, very respectfully, your obedient servant,

Z. CHANDLER,

*Secretary.*

The PRESIDENT.

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DEPARTMENT OF THE INTERIOR,  
OFFICE OF INDIAN AFFAIRS,  
*Washington, D. C., April 3, 1876.*

SIR: On the 15th of January last I transmitted with a report a copy of a pamphlet containing certain correspondence of my predecessor and of some members of the Board of Indian Commissioners, relative to the removal and necessities of the Pawnee Indians, in which was a draught of a bill calculated to meet the demands of the case, and recommending that Congress be asked to make the necessary appropriation for the Pawnees, to be re-imbursed out of the proceeds of the sales of their lands in Nebraska. February 11 a report was submitted, recommending that two additional sections be added to said bill definitely fixing the location of the new reserve for the Pawnees, and providing for allotments of land in severalty to members of the tribe.

February 23 I submitted to the Department a copy of a communication from Agent Burgess, dated the 7th of same month, giving a detailed account of the affairs of the Pawnees, and stating that the persons who had been furnishing them with supplies, under an arrangement made with Messrs. Smith and Roberts of the Board of Indian Commissioners, refused to make further deliveries in the absence of any appropriation by Congress. In this communication I represented the great urgency of the case, and recommended that the matter be laid before Congress at an early day.

March 30 I received a telegram from Agent Burgess, dated the 29th, (copy herewith,) to the effect that the Pawnees were out of subsistence,

and asking what should be done; to which reply was made that nothing could be done to assist the Indians until action was had by Congress.

I am now in receipt of a second telegram from Agent Burgess, dated the 2d instant, (copy herewith,) stating that the Pawnees are out of all articles of subsistence; that hundreds are now leaving the reservations in pursuit of food; that aid must be speedily forthcoming, or much suffering and starvation will ensue; that he has done all in his power, and now throws the responsibility upon the Government, &c.

The above-recited facts indicate most clearly the extreme necessities surrounding this case, and demand attention at once.

I cannot, therefore, too strongly recommend that the immediate attention of Congress be again invited to the subject, and that the appropriation heretofore asked for the relief of the Pawnees be made without delay. In this connection I respectfully submit that the urgency of the case renders necessary an additional clause to the bill now before Congress, giving the Department authority to direct the expenditure of a portion (not less than \$20,000) of the sum appropriated in the purchase of supplies in open market to meet the immediate necessities of the Indians, and thus avoid the delay incident to advertising.

I have the honor to be, very respectfully, &c.,

J. R. SMITH,  
*Commissioner.*

The Hon. SECRETARY OF THE INTERIOR.

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PAWNEE INDIAN AGENCY, Mar. 29, 1876,  
*Via Coffeyville, Kans.—9.48 p. m.*

J. Q. SMITH,  
*Commissioner Indian Affairs, Washington, D. C.:*

The Pawnees are out of subsistence; what is to be done? Reply, care of R. C. Crowell & Co., Coffeyville, Kansas.

WM. BURGESS,  
*United States Indian Agent.*

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COFFEYVILLE, KANS.,  
*April 2, 1876—12 50 p. m.*

J. Q. SMITH,  
*Commissioner Indian Affairs, Washington, D. C.:*

The Pawnees being out of beef, flour, and all other subsistence, hundreds are leaving reservation on pursuit of food, many being now in the border towns of Kansas, of which complaints are being made.

Though usually obedient, they will disobey orders to remain at home when impelled by hunger to roam. We must have aid speedily or much suffering and starvation will ensue, and the good work of the agency be destroyed. Further supplies cannot be procured without means. These are facts for those in authority. I have done all in my power under instructions, and now throw the whole responsibility of the consequences upon the Government.

WM. BURGESS,  
*Indian Agent.*

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COFFEYVILLE, KANS.,  
*April 2, 1876—11 p. m.*

ZACHARIAH CHANDLER,  
*Secretary of the Interior, Washington, D. C.:*

Numbers of Pawnee Indians are prowling around the border, seeking aid. Trouble is anticipated unless speedily relieved.

WM. C. MASTER,  
*Mayor of Coffeyville.*

**CORRESPONDENCE OF THE HON. SECRETARY OF THE INTERIOR AND THE COMMISSIONER OF INDIAN AFFAIRS RELATIVE TO THE REMOVAL AND NECESSITIES OF THE PAWNEE INDIANS.**

DEPARTMENT OF THE INTERIOR,

*Washington, December 14, 1875.*

SIR: I return herewith, amended, the draught of a bill providing for the sale of the Pawnee reserve, in Kansas, which accompanied your report of the 9th instant, which bill, as amended, will, it is believed, meet the requirements in the case, and has the approval of this Department.

The papers which were transmitted with your report are also herewith returned.

Very respectfully, your obedient servant,

Z. CHANDLER,

*Secretary.*

The COMMISSIONER OF INDIAN AFFAIRS.

DEPARTMENT OF THE INTERIOR,

OFFICE OF INDIAN AFFAIRS,

*Washington, D. C., December 9, 1875.*

SIR: I have the honor to inclose herewith communication from the Hon. Secretary of the Board of Indian Commissioners relative to the condition of the Pawnee Indians, and the steps that have been taken to provide for their wants during the past year. It will be seen that the emergency of the case, in the view of the President, was sufficient to justify the unusual action, and also that the efforts to provide for the Pawnees have been entirely successful, and that they are now comfortably located in the Indian Territory, and that the only assistance required from the Government will be an appropriation, as a loan, to be reimbursed from the sales of their lands in Nebraska, which they have vacated, and which are ample security. I therefore respectfully recommend that the matter be submitted to Congress for the necessary action by that body, if this recommendation meets with the concurrence of the Department.

The accompanying draught of a bill is submitted as a proper form, and covering the points upon which legislation is required.

I have the honor to be, very respectfully, your obedient servant,

EDW. P. SMITH,

*Commissioner.*

The HON. SECRETARY OF THE INTERIOR.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, with the consent and concurrence of the Pawnee tribe of Indians, expressed in open council in the usual manner, the Secretary of the Interior be, and he is hereby, authorized to cause to be appraised and sold the entire reservation set apart for said Indians in the State of Nebraska by the provisions of the first article of a treaty with them, concluded September 24, 1857, in the following manner: The said Secretary shall appoint three disinterested and competent persons, who, after being duly sworn to perform said service faithfully and impartially, shall personally examine and appraise said lands, at their actual cash value, by legal subdivisions of one hundred and sixty acres, separately from the value of any improvements on the same, and shall also examine and appraise the value of said improvements, and make return thereof to the Commissioner of Indian Affairs. After the appraisement of said lands as herein provided, the Secretary of the Interior shall be, and hereby is, authorized to offer the same for sale on the following terms and conditions, to wit: One-third cash in hand, the balance in two equal annual payments, drawing interest at the rate of six per centum per annum from the day of sale. If any purchaser shall commit waste or damage upon said lands before full payment therefor, his rights to the lands purchased by him shall cease, and sealed proposals, duly invited by public advertisement, shall be received for the same, for tracts not exceeding one hundred and sixty acres each, and also for the entire body offered; and he shall be, and hereby is, authorized to accept the proposal for the entire tract, or the highest bids for separate tracts, whichever shall be deemed best for the interest of the Indians: *Provided*, That no bids for separate tracts shall be accepted which may be less than the appraised value of such tract, or less than two dollars and fifty cents per acre, nor for the entire tract which shall be less than the aggregate appraised value of the same, or less than two dollars and fifty cents per acre; and patents in fee-simple shall be issued to the purchasers for the tracts purchased by them, respectively, upon the payment to the Secretary of the Interior, in such manner and under such regulations as he may prescribe, of the full amount of the purchase-money: *Provided further*, That if any of said*

tracts shall contain valuable improvements thereon, made by or for the Indians, or for Government purposes, the proposals therefor must state the price both for the land and the improvements separately: *And provided further*, That the second section of the act of Congress approved June 10, 1872, making provision for the sale of a portion of these lands be, and the same is hereby; repealed: *And provided further*, That if any of the lands of said reservation shall remain unsold, after being offered as aforesaid, then the Secretary of the Interior is authorized and empowered to offer the same, from time to time, on sealed proposals, after public advertisement, under the provisions of this section, until the whole shall be disposed of.

SEC. 2. That there be, and hereby is, appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of three hundred thousand dollars, to be used in defraying the expenses of appraisement and sale; in the purchase of a suitable reservation in the Indian Territory for the Pawnee tribe of Indians; to defray the expenses of their removal thereto and establishment thereon; for the payment for necessary supplies for their subsistence; for improving farms, building houses, purchasing implements of agriculture, and live-stock; in establishing and supporting schools; and for other beneficial objects, including expenditures made for the above-mentioned purposes during the fiscal year ending June 30, 1876; said sum to be available for the purpose named immediately upon the approval of this act: *Provided*, That the sum hereby appropriated shall be re-imbursed to the United States out of the funds arising from the sale of the lands described in the first section of this act.

SEC. 3. Any surplus that may remain from the proceeds of the sale of the lands described in said first section, after the re-imbursement to the United States of said sum of three hundred thousand dollars, shall be placed to the credit of said Indians on the books of the Treasury of the United States, and bear interest at a rate not to exceed five per centum per annum, payable semi-annually, except such portion thereof as the Secretary of the Interior, with the approval of the President of the United States, may deem necessary to be expended for their immediate use for subsistence or other beneficial objects.

#### REPORT TO THE BOARD OF INDIAN COMMISSIONERS ON THE REMOVAL OF THE PAWNEES TO THE INDIAN TERRITORY.

BOARD OF INDIAN COMMISSIONERS,  
*Washington, D. C., December 9, 1875.*

SIR: I have the honor to inclose herewith copy of a report made by B. Rush Roberts and myself, relative to our action in the provision made for the support of the Pawnee Indians, for such action and recommendation to the Hon. Secretary of the Interior as you may deem expedient.

Very respectfully, your obedient servant,

F. H. SMITH, *Secretary.*

Hon. E. P. SMITH,  
*Commissioner of Indian Affairs.*

WASHINGTON, D. C., *November 9, 1875.*

SIR: The undersigned, members of the board, respectfully present the following report of their action in connection with the removal of the Pawnee Indians from the reservation in Nebraska to the Indian Territory, their establishment upon their new reservation, and their subsistence temporarily until provision shall be made therefor by Congress.

The following correspondence of the Hon. Secretary of the Interior and Commissioner of Indian Affairs will explain our connection with this subject:

“DEPARTMENT OF THE INTERIOR,  
“OFFICE OF INDIAN AFFAIRS,  
“*Washington, D. C., March 6, 1875.*

“SIR: I have the honor to invite your attention to an emergency which has arisen in the Indian service.

“There are three thousand Pawnee Indians in Nebraska who have heretofore subsisted partly by buffalo-hunting and partly by such crops as they have learned to raise upon their reservation. For two years past they have entirely failed in their efforts to procure buffalo and were thus reduced to exclusive dependence upon their crop, which last summer was

completely destroyed by grasshoppers, leaving these Indians with but a small annuity-fund of about ten dollars per capita with which to be maintained for a whole year.

"In these circumstances the Pawnees in council, attended by their agent and superintendent and a delegation of Friends, who have these Indians in charge, voted to remove to the Indian Territory, and asked permission to send the males of their tribe in advance, in order to select a country and break ground in preparation for the coming of the women and children and aged persons of the tribe.

"They also voted to request the Government to sell their reservation and to expend such portion of their funds as might be necessary for their removal and establishment in the Indian Territory.

"In view of the straitened condition of the Pawnees, and the desirableness of concentrating Indians in the Indian Territory so far as possible, permission was granted these Indians by the Department to proceed thither, where they would probably be able to make a living during the winter by hunting buffalo, and would be on the ground ready to commence improvements upon their new homes in early spring.

"Appropriate legislation to carry out this arrangement was recommended to Congress, which, having been referred to the Indian Committee of the Senate, was reported back with favorable recommendations; but in the crowded condition of legislation at the close of the session it was found impossible to call up the bill before the expiration of Congress.

"As the result the Department finds itself with these three thousand (3,000) Pawnees, of whom a large portion are already in the Indian Territory, for whom a selection of country has been made in the forks of the Arkansas and Cimarron Rivers on land ceded to the United States for Indian occupation by the Cherokees, but who are without any means either to procure subsistence, or to commence preparing their homes, or to return to Nebraska, or to live in Nebraska if they were returned.

"I respectfully suggest that this emergency is so decisive and well defined as to come within the discretion necessarily lodged with the President, by which authority may be granted the Department to make the necessary expenditure to provide for these Pawnees, until provision can be made according to law, and would respectfully recommend that the matter be laid before the President for such direction as he may see fit to give in the premises.

"The expenditure thus required will probably not exceed one hundred and fifty thousand dollars, and will probably be from twenty-five to fifty thousand dollars less than that amount. The lands which the Pawnees relinquished in moving to the Indian Territory are worth three or four times that amount.

"Owing to the actual hunger of these Indians, and the importance of their being at work immediately upon their new reservation, I respectfully request that action may be taken upon this matter at as early a date as practicable.

"Very respectfully, your obedient servant,

"EDW. P. SMITH,  
"Commissioner.

"The Hon. SECRETARY OF THE INTERIOR."

"DEPARTMENT OF THE INTERIOR,  
"Washington, March 12, 1875.

"SIR: The destitute condition of the Pawnee Indians and the necessity of providing them with subsistence, which were the subject of your report of the 6th instant, having been represented to the President, he authorizes that the Department incur an expenditure for their relief until provision can be made for them according to law.

"You are, therefore, hereby instructed, in pursuance of the Executive authority, to make the necessary arrangements for the relief of the Pawnees; the expenditure thus to be incurred not to exceed one hundred and fifty thousand dollars, provided the necessary supplies can be procured in open market of parties who would be willing to furnish what may be required *without entering into contract*, and await the action of Congress upon estimates to be approved by this Department and submitted to Congress for an appropriation to meet the payment of the indebtedness.

"Very respectfully, your obedient servant,

"B. R. COWEN,  
"Acting Secretary.

"The COMMISSIONER OF INDIAN AFFAIRS."

"DEPARTMENT OF THE INTERIOR,  
"OFFICE OF INDIAN AFFAIRS,  
"Washington, D. C., April 2, 1875.

"SIR: Referring to your communication under date of March 12, 1875, authorizing the expenditure of \$150,000 for the relief of the Pawnees by purchase of supplies in open market, I have the honor to inclose herewith copy of proposal from R. C. Kerens, of Arkansas, to furnish beef on the hoof, required by these Indians, at \$3.88 per hundred, gross weight, and flour delivered at Wichita at \$4.86 per hundred.

"It is known to the Department that there are no funds applicable for the subsistence of



these Indians, who have lately removed to the Indian Territory, and that parties furnishing supplies for them do so with the understanding that they will receive no compensation for the same until an appropriation shall have been made, and the uncertainty involved in the transaction will operate of course to increase the cost of articles.

"It is difficult for the Office at this distance to judge as to what is expedient and right in the matter, and I respectfully recommend that the secretary of the Board of Indian Commissioners be requested, if compatible with his other duties, to visit the Indian Territory and take in charge the procuring of supplies necessary for the Pawnees, or such portion of them as he may deem best, and that this proposition of Mr. Kerens be submitted for his consideration in connection with any others that may be offered.

"Your early consideration of this subject is respectfully requested.

"Very respectfully, your obedient servant,

"EDW. P. SMITH,  
"Commissioner.

"The Hon. SECRETARY OF THE INTERIOR."

"DEPARTMENT OF THE INTERIOR,  
"Washington, D. C., April 5, 1875.

"SIR: I have considered your report of the 2d instant, submitting a proposition made by R. C. Kerens, of Arkansas, to furnish beef and flour for subsistence of the Pawnee Indians in the Indian Territory and await an appropriation by Congress for payment.

"In your letter of the 6th ultimo the destitution of the Pawnees was reported to the Department, with the recommendation that the President be consulted with reference to their condition, and as to the proper mode of relief to be adopted in the absence of an appropriation or authority of law for the purchase of supplies.

"In compliance with said recommendation the subject was laid before the President, who authorized the Department to make the necessary arrangement to relieve the Pawnees, provided the necessary supplies could be procured, in open market, of parties who would furnish the same *without entering into contract*, and await action by Congress upon estimates to be submitted for an appropriation.

"In pursuance of Executive authority you were, on the 12th ultimo, instructed to incur an indebtedness not to exceed the sum of one hundred and fifty thousand dollars.

"The Department cannot, under existing law, make a contract or purchase in the absence of an appropriation for the purpose. "No contract or purchase on behalf of the United States shall be made unless the same is authorized by law or is under an appropriation adequate to its fulfillment." (Revised Statutes, section 3732, act of March 2, 1871.) The said act clearly inhibits the making of contracts or purchases by this Department.

"Under the circumstances, and in view of the peculiar situation and necessitous condition of the Pawnees, you are authorized to make arrangements for their relief and subsistence, provided you can find any parties who, in the interests of humanity, will furnish to this suffering tribe the supplies required for the purpose, and who will be willing to rely upon the justice of a Christian government for payment.

"It is to be distinctly understood that under the authority herein conferred no obligation will be assumed by the Government nor any responsibility, nor, by implication, is any promise of payment to be inferred from it.

"Information may, however, be imparted that the Department will submit to Congress, at the next session, an estimate of appropriation required to defray the expenses incident to the care and subsistence of the Pawnee Indians in the Indian Territory.

"To your judgment is left the adoption of the best plan for accomplishing the object contemplated. If it be deemed inexpedient or impracticable for Superintendent Hoag and Agent Richards to effect a satisfactory arrangement for procuring supplies for the Pawnees under the authority hereby granted, and the business demands that the secretary of the Board of Indian Commissioners be designated for the purpose, the propriety of employing his services is left to your discretion.

"Before taking any action in the premises you are requested to confer with Friend B. Rush Roberts in relation to the subject.

"Very respectfully, your obedient servant,

"C. DELANO,  
"Secretary.

"THE COMMISSIONER OF INDIAN AFFAIRS."

"DEPARTMENT OF THE INTERIOR,  
"OFFICE OF INDIAN AFFAIRS,  
"Washington, D. C., April 9, 1875.

"SIR: From copies of correspondence herewith inclosed, being letters of March 6 and April 2, of this Office, to the Hon. Secretary of the Interior, and replies thereto by the Hon. Secretary under date of March 12 and April 5, you will learn the embarrassed position in which this Department is placed relative to the Pawnee Indians and their necessitous condition.



"In accordance with the authority given by the Hon. Secretary, in his letter of April 5, I desire to secure the aid of your board in procuring supplies for the Pawnees sufficient to meet their necessities until July 1, 1876. These supplies will consist mainly of beef on the hoof, flour or corn, or both, coffee, sugar, clothing materials, farming implements, hardware for use in the erection of buildings, a saw-mill, and a few wagons and work-oxen. Provision should also be made, if feasible, by which the services of a sufficient force of employes can be procured to erect temporary dwellings for the employes of the agency, to put a saw-mill into operation, and to aid the Indians in the erection of their houses.

"From the inclosed copy of the appropriation bill you will learn the exact amount of funds which can be used for the Pawnees during the coming year, and, with their consent, in any form most for their benefit, except those in payment for employes and schools.

"It is desirable that you should visit their present agency in Nebraska, and on the spot consider and decide the question as to when it will be most feasible to move that portion of the tribe still remaining in Nebraska to the Indian Territory. This decision will affect somewhat the amount of supplies necessary to be provided at their new home, and also be important as tending to quiet an uneasiness on the part of the Indians.

"Two opposite considerations bear upon the question of the time of this removal.

"1. If it is not made during the coming fall it cannot be made, without transportation by rail, involving heavy expense, early enough in the following spring for them to put in a crop in the new country next year.

"2. If the removal is made this fall it necessarily exposes some of the older persons and the children to their first winter in the Territory with inadequate shelter and provision, and also involves an additional expense of cost of supplies, while if they remain in Nebraska through the winter they will mainly subsist on what they may expect to raise during the coming summer. Also, if they remained in Nebraska, the school could probably be continued with profitable results during the entire winter, and the agency buildings would be protected by actual occupation until the Pawnee lands in Nebraska can be sold.

"By the act of 1872 a sale of 50,000 acres of Pawnee lands was authorized, but under such restrictions as have hitherto operated to prevent the sale. I have learned informally that it is possible that a colony of Mennonites, represented by John F. Funk, at Elkhart, Indiana, may consider the question of purchasing these lands, and I would suggest, as bearing quite directly upon the question before you, that *en route* to Nebraska you have an interview with this gentleman.

"If the 50,000 acres for whose sale provision is made in the act above named can be sold, the pressing wants of the Pawnees will be mainly provided for; but owing to the delay involved in procuring the appraisalment and sale of the lands by advertisement, a temporary provision must be made, even if this is likely to be successful.

"As to the probability of payment for supplies and services which may be procured for the Pawnees, I have to say that in addition to the moral obligation which will be upon the Government, and which will be urged upon Congress in its full force by the Department and by the President, the Pawnees are in possession of lands which, at a moderate valuation, are worth at least \$300,000, upon which this indebtedness incurred in their behalf will be a first lien. This fact will of itself remove many difficulties in procuring a future appropriation, because the amount to be appropriated will be sure to be re-imbursed by the sale of Indian lands, instead of being a donation to the Indians.

"Mr. B. Rush Roberts, a member of your board, has been requested, if possible, to assist you in this matter, and it is hoped that he will be able to accompany you to Nebraska and Saint Louis, or such other point as you may find most suitable for making arrangements to meet the necessities of the Pawnees.

"Very respectfully, your obedient servant,

"EDW. P. SMITH,  
"Commissioner.

"Hon. F. H. SMITH,  
"Secretary Board of Indian Commissioners, Washington, D. C."

*Proposed sale of land.*—In accordance with the request of the Hon. Commissioner we proceeded to Chicago, and on the 14th of April last held a consultation with Mr. John F. Funk, of Elkhart, Indiana, who met us there in compliance with our telegraphic invitation.

As a representative of a portion of the Mennonite organization in this country, Mr. Funk expressed a warm desire that the portion of the Pawnee reservation authorized by law to be offered for sale should be made available for the exclusive occupation of colonies of that faith coming to this country; and, after full consideration of the subject, proposed, as the most available means of securing the land for that purpose, to communicate immediately with representative men of the organization with a view of forming a joint-stock company with capital sufficient to make the purchase in accordance with the terms of the law.

*Removal of the Pawnees.*—We next proceeded to the reservation in Nebraska, and consulted with the chiefs and headmen of the Pawnees remaining at the agency. The Indians were united and urgent in their desire to abandon the reservation and join their brethren in the Indian Territory at once.

To comply with their request seemed wholly inadmissible. Several hundred acres of wheat had already been sown, and the arrangements for cultivating—in all about two thousand acres of the reservation—were in an advanced state of progress. The manual-labor school, with its excellent buildings and corps of teachers, would have to be disbanded for probably a year to come, and much inconvenience and suffering on the part of the aged, sick, and infirm would occur in case of immediate removal to a point at which no preparation for their reception would, for a considerable period, be made.

After a protracted explanation and discussion, the Indians were informed that the Department would positively not assent to their removal earlier than the coming fall, after their crops have been harvested. The commissioners then left the council-room, but were subsequently requested to return, and were informed by the Indians of their assent to the proposition to remain until fall.

On the 19th we returned to Omaha and met Barclay White, superintendent of Indian affairs, who was requested by telegraph to accompany us to the reservation; but in consequence of his absence at another agency failed to receive the dispatch.

Among the reasons given by the Indians for their immediate removal was their continual apprehension of attack from the Sioux, the absence of nearly all the able-bodied men of the tribe leaving them without means of defense against even a small hostile party. After consultation with the superintendent, although no cause was seen for apprehending any immediate danger, it was deemed prudent to address a communication to the military headquarters at Omaha requesting the detail of a small force of troops within such proximity to the agency as would afford protection to the remaining Pawnees from their hereditary enemies.

Attention was also called in the communication to the material injury already done by the removal of large quantities of wood from the reservation—from one to two hundred wagon-loads a day being often taken away—by trespassing, and the military authorities having failed to respond to the previous request of the Department to afford protection in this regard.

In accordance with our request, a company of infantry was subsequently detailed by General Crook for service at the agency, and remained during the most of the summer. Two occasions occurred for their intervention, as will be seen from the following extract from the report of Barclay White, superintendent, concerning the affair:

"NORTHERN SUPERINTENDENCY, OFFICE INDIAN AFFAIRS,  
"Omaha, Nebr., Ninth month 3d, 1875.

"RESPECTED FRIEND:

\* \* \* \* \*

"On the 23d ultimo, about daybreak, the wife of Eagle, head-chief of the Ske-dea band of Pawnees, was shot and instantly killed. She was near her lodge, and the party committing the murder was sheltered from view by tall corn, and escaped unobserved.

"Agent Burgess reports that Captain Wheaton's company 'was stationed in sight, within a few hundred yards of the point of attack. It was not only inadequate for protection, but of no practical benefit whatever against Indians.'

"On the 30th ultimo, soon after sunrise, fourteen Indians, supposed to be Sioux, rode out of a ravine, and shot four balls into Kou-is-a or Charlie Fighting Bear, a Pawnee school-boy, fifteen years of age, who was herding Pawnee horses, killing him on the spot.

"This occurred about forty rods from the agency carpenter's dwelling-house. The murderers then chased the horses, but not succeeding in capturing them, left. An active chase by Pawnees was given them for several miles, but they had fleet horses, were better armed than the Pawnees, and escaped.

"Very respectfully, thy friend,

"BARCLAY WHITE,  
"Superintendent of Indian Affairs.

"Hon. F. H. SMITH,  
"Secretary, Washington, D. C."

*Purchase of supplies.*—We reached Saint Louis the morning of the 21st, and Agent Burgess, coming from the East, joined us in the evening of that day.

The matter of the purchase of supplies was, while in Chicago, laid fully before Col. C. G. Hammond, late a member of the Board of Indian Commissioners, who informed us that it would be impossible to negotiate with business-men in that city on the terms we were authorized to offer, and that in his judgment the only plan that would be successful was to find parties who, as a matter of speculation, would, for a sufficient consideration, be willing to risk the delay or failure of Congress to make the required appropriation. J. V. Farwell, also late a member of our board, and others, were consulted, without affording any light upon the subject of our proposed purchases.

In Omaha arrangements were made with F. D. Cooper for the supply of such wagons and agricultural implements as are required, to be delivered by him at Coffeyville, Kansas, upon terms regarded as favorable.

In Saint Louis much reliance was placed upon the advice and co-operation of Mr. Robert

Campbell, whose previous familiarity with the Indian service as a member of our board and otherwise, and whose great business experience and acquaintance in Saint Louis it was believed would enable him to place us in communication with parties willing to furnish the supplies required and to trust to the justice of the Government for re-imbursement. Mr. Campbell, after learning of our presence in the city, called upon us, and expressed his readiness to render any assistance in his power; but learning fully the conditions under which purchases were to be made, stated in most positive terms that any effort to procure the supplies required in that city would be hopeless, and in response to the inquiry as to what could be done to relieve these suffering people made the same reply in substance as Colonel Hammond in Chicago, that our only hope was to find parties who would as a speculation undertake for a liberal margin of profit to furnish the goods.

In connection with Agent Burgess, we then visited several of the prominent business-houses of the city, but in each instance the parties declined to sell for any price new goods upon the terms offered.

Arrangements were, however, made with A S Petticrew Machine Company for the supply of a saw-mill and engine, partly second-hand, but in excellent condition, upon reasonable terms.

Proposals were received for flour, beef, and other supplies, but at rates which we, on our own responsibility, were unwilling to accept.

We thereupon returned to Washington and reported verbally to the Commissioner of Indian Affairs the results of our effort, and asked him to relieve us from further responsibility in the matter. The Commissioner stated that he knew of no other means more likely to accomplish the object sought, and, as the necessity was urgent to make immediate provision for subsisting the Indians and carrying on the work required for their establishment on the new reservation, he desired us to continue our efforts until all needed arrangements should be perfected.

Acting upon this request, we have from time to time authorized the purchase of supplies and materials and the employment of labor on the best terms we have been able to obtain, the details of which will appear in the files of your office.

During the month of October, in connection with Thomas W. Matthews, of Baltimore, one of the committee appointed by the Baltimore yearly meeting of Friends, we made a second visit to the Pawnees. The following extract from the report of the Friends committee states clearly what has been accomplished for this people during the present season, and is adopted by us for the purposes of this report:

"At the close of the last fiscal year, Sixmonth 30th, 1875, the day-schools were all closed, and the industrial school on the 30th of Ninthmonth, and the salaries of the teachers and other employes appropriated to the purposes of feeding the Indians and making preparation for their final removal to the Indian Territory.

"The Indians remaining (numbering between four and five hundred, most of whom are children, or old and infirm people) appear to have acted on the advice given them last spring by members of the Board of Indian Commissioners and their agent, to plant all the corn and vegetables they could, and gather their crops before departing south, that they might have food on their way down.

"Agent Burgess reports that most of the able-bodied men have worked well, and the farmer assures us that nearly all the labor in producing and gathering the large crops raised on the reservation the past summer has been performed by Indians, and the amount of dried squaw-corn and pumpkins which we saw stored in some of their lodges shows that they have not been idle.

"The products of the agency-farm, on about 600 acres, have all been reported or estimated to us; and from personal inspection we are inclined to believe that the corn is estimated considerably below what it will probably yield, as follows: rye, 1,000 bushels; wheat, 5,000 bushels; corn, estimated, 5,000 bushels; potatoes, 1,700 bushels; oats, 2,000 bushels; and buckwheat, 84 bushels. About 50 tons of hay have also been cut. On a very moderate estimate we think the products would be worth there at least \$5,000.

"The results of this year's farming have been very gratifying to us, especially in comparison with the desolation and destitution of the agency about this time last year; and the more so that the Indian laborer has brought about this result, and that his muscles have been trained in the employment in which hereafter he must live or suffer.

"Horses and wagons have been purchased for the removal to the Indian Territory of the remnant of the tribe, and it is expected that all will be in readiness to start on or very soon after the 15th of the present month, and will be accompanied by Agent Burgess and wife, Julia Nicols, and Mariana Burgess. The latter two having been teachers in the industrial school, are now retained to have care of the children and as teachers of day-schools to be at once started on the new reservation, and probably to be re-instated when the new manual-labor school, now projected, can be built and put in operation.

"We left Genoa on the morning of the 5th, accompanied by William Burgess, and Omaha on the 6th, by way of Kansas City, Lawrence, and Coffeerville, and after some detention on our route and 105 miles' travel by private conveyance, we reached the Pawnee agency in the Indian Territory about sundown on the evening of the 11th instant. On

arriving in front of the agency buildings, more than a mile from them, our eyes rested upon one of the most beautiful scenes we had witnessed in our whole journey.

"In the foreground were about twenty men, Indians and whites, with their teams and mowing-machines, busily engaged in cutting, raking, and stacking hay. In the distance the long row of new buildings, many of which were occupied, extending in a straight line on one side of the avenue for over half a mile in length, and the surrounding country for miles away dotted with the white tents of the Indians in their several villages, and the houses of the employes within a more limited circle; the beautifully rolling prairie, interspersed with belts and groves of timber, and the far-distant hills bounding the Cimarron and Arkansas Rivers—the whole covered with a most luxuriant growth of grass, and seen in the light of the setting sun constituted a picture which no pen could adequately describe. Our hearts were made to rejoice at the thrift and industry which we witnessed, as well as at the care that had been taken to keep everything neat and clean, so unlike an Indian village.

"We must first pay a tribute to the good judgment displayed in the selection of the reservation, and secondly to the taste that has been exercised in the location of the many agency buildings, now erected and to be erected, around and on the spot intended for and constituting the headquarters of the tribe.

"The Indians arrived too late in the summer on their new reservation to plant any crops for winter use, but we are informed that a majority of the able-bodied men have been laboring, and nearly all the balance have been desirous to be allowed to labor, but for want of implements which they could use were excluded from exercising whatever power and inclination they possessed in that direction. There have been twenty new buildings put up on the reservation, consisting of dwellings, shops, offices, &c., and a steam saw-mill which is not yet covered, but is working well, and cutting all the lumber that is required at present, and will no doubt soon have a stock on hand for future use. There have been about fifty white employes, mechanics and laborers, besides thirty Indian laborers, employed on the farm and about the mill and shops on the reservation, and in making roads and bridges. Many of these employes are hired on the only terms that the agent was authorized or able to offer, *i. e.*, to feed them, and they to rely upon an act of Congress to enable the Indians to realize funds from the sale of their lands in Nebraska, from which these laborers can be paid. And the whole tribe is now being fed and clothed on the same terms, relying on the justice of Congress to re-imburse the parties furnishing supplies.

"Much labor has been performed by Indians in making roads and bridges for many miles across the prairie toward the Osage agency, through which all the supplies have to be wagoned 105 miles at heavy cost.

"A good substantial ferry-boat has been constructed, by which to cross the Arkansas River, on this road, and the ferry is used solely for the benefit of the tribe; no other travel on the route but that which communicates with the agency. About 200 tons of hay have been cut and put up, and the farmer was still cutting and stacking when we left the agency.

"There were abundant crops of melons and pumpkins raised and consumed, or dried for winter use, during the present fall. There have been about 300 acres of land broken, and 125 acres seeded in wheat. Two ox-teams of three yokes each are employed most of the time in hauling logs to the saw-mill. In cutting and sawing the logs Indians are found to be efficient helpers as well as in farm labor. Agent Burgess has, under proper authority, purchased twelve wagons and twenty-three head of horses, to enable him to remove the balance of the tribe from Nebraska, and these teams will add very much to the efficient working of the agency, in the erection of the agent's house and industrial-school building. These it is proposed to commence at once, and to use the material, which is abundant on the reservation for the purpose, namely, stone, lime, sand, lumber, and shingles; the hardware and glass constituting nearly all the material that will have to be purchased.

"Much more might be written on the great change which appears to have taken place among the Pawnees in the past year, but this report has already been lengthened out beyond our expectations, and we believe it will be better to await results than to anticipate them before the public.

"In conclusion, we think it right to express our appreciation of the services that have been rendered and continue to be rendered by Agent William Burgess and wife. It would be impossible for any one to appreciate their difficult position without paying a visit to the Indians of which they have the care. The duties of the agent under any circumstances are so varied that he can hardly hope to fulfill them without incurring more or less censure from those unacquainted with all the surroundings. Agent Burgess's position for the past year has been one of more than ordinary responsibility and labor, requiring unusual discernment as well as executive ability.

"In pursuance of the policy adopted by the Government in the removal of the Pawnees, Agent Burgess was detailed in Eleventhmonth last to explore parts of the Indian Territory with a view to select a suitable location, which, with the consent of the headmen of the tribe, should be purchased for their future home. This trust was executed, after a long and arduous exploration of some five months, to the entire satisfaction of the Indians, and the

selection met with the entire approval of the Commissioner of Indian Affairs, and-in our judgment, formed from what we have seen and learned, is hardly equaled in its many advantages by any other settlement of Indians."

It will be apparent that immediate action by Congress is of great importance, both for the purpose of providing payment of the amounts already expended and for the permanent care of these Indians. Most of the persons employed in the erection of buildings, breaking ground, and for the various purposes required at the new reservation, are in necessitous circumstances, and should be paid at the earliest practicable moment.

At the instance of the Friends, in whose special care the Pawnees are, a bill was introduced into the last Congress providing for the sale of their reservation in Nebraska, the proceeds to be invested for the benefit of the Indians. Congress was asked to make an appropriation of \$300,000 for immediate use, to be re-imbursed from the proceeds of the sale of the lands.

This reservation comprises three hundred thousand acres, located about a hundred miles west of the Missouri River, and in immediate proximity to the Union Pacific Railroad; much of the land is very valuable, and the entire tract disposed of on favorable terms ought to realize three-quarters of a million dollars. It seems to us that the passage of a bill similar to that introduced in the last Congress is the proper measure of relief, and should be recommended to Congress for its early action.

B. RUSH ROBERTS,

F. H. SMITH,

*Commissioners.*

Hon. CLINTON B. FISK,

*Chairman Board of Indian Commissioners.*

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*Action of the Board of Indian Commissioners on the above report.*

At a meeting of the Board of Indian Commissioners, held at the Fifth Avenue Hotel, New York, December 16, 1875, the following preamble and resolution were unanimously adopted:

Whereas the Pawnee Indians have voluntarily, with the consent of the President and Secretary of the Interior, left their reservation in Nebraska and removed to a reservation allotted to them in the Indian Territory, and are now there without adequate means for subsistence or improvements on their new reservation;

*Resolved*, That we recommend to Congress the passage of a law for the sale of their lands in Nebraska, under such restrictions as may be necessary to secure to them a fair market-value for the same; and an appropriation from the Treasury of the United States, to be re-imbursed from the proceeds of said sale, which will be sufficient to enable them to pay the Government for the land on which they have settled and purchase the agricultural implements, build school-houses and the necessary agency-buildings, and subsist them until their growing crops can be harvested.

F. H. SMITH, *Secretary.*